

AMENDMENT

IN THE CLAIMS:

1-2. (Cancelled)

3. (Currently amended) An isolated nucleic acid molecule selected from the group consisting of

- a) ~~of~~ SEQ ID NO 1 5'-GAA AAA GCA TTT GAA GCC AT-3' or
- b) ~~of~~ SEQ ID NO 2 5'-GCA ACT TCC GGC TCA GC-3' or
- c) ~~of~~ SEQ ID NO 3 5'-TCG AAA AAG CAT TTG AAG CC-3' or
- d) ~~of~~ SEQ ID NO 4 5'-GGT CAG AGT GAA GCT CAT GT-3' or
- e) ~~of~~ SEQ ID NO 5 5'-CTI TTC ACA TGA GCT TCA CTC TGA CCR A-3' or
- f) ~~of~~ SEQ ID NO 6 5'-CTT TTT CTT TCA CTG GGT TTC CGA CAT-3' or
- g) ~~of~~ SEQ ID NO 7 5'-GAT GAT TTC TTT TTC TTT CAC TGG ATT TCC
AAT AT-3'[[or]] and
- h) ~~of~~ the sequence completely complementary to a), b), c), d), e), f) or g).

4-5. (Cancelled)

6. (Cancelled)

7-11. (Cancelled)

12. (Currently amended) A method for ~~distinguishing bacteria of the species~~ specifically detecting DNA of the bacterial species *Listeria monocytogenes* in a test sample from other bacteria without cross-reactivity with DNA from other bacterial species, comprising the steps of:

- (i) providing a test sample containing ~~bacteria~~ bacterial genomic DNA;
- (ii) providing at least one nucleic acid molecule of claim 3 for use as either a primer for a PCR reaction or a probe for a hybridisation reaction; and
- (iii) ~~distinguishing *Listeria monocytogenes* by detecting differences in the genomic DNA and/or RNA in at least one nucleotide position in the region of one of the nucleic acid molecules of claim 3 performing either a PCR reaction or a~~ hybridization reaction on said bacterial genomic DNA using said primer or probe,

whereby a positive PCR result or a positive hybridisation result indicates that the test sample contains DNA of the bacterial species *Listeria monocytogenes*.

13. (Cancelled)

14-16. (Cancelled)